

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

WP(C).No. 29232 of 2004(E)

PETITIONER:

M/S.CAD CENTRE, INDIAN EDUCATIONAL
ENTERPRISES (P) LTD., SREENIVAS CHAMBERS,
M.G.ROAD, ERNAKULAM DISTRICT REP. BY ITS
MANAGING DIRECTOR GEORGE KURIAN.

BY ADV. SRI.M.P.ASHOK KUMAR

RESPONDENTS:

1. THE GENERAL MANAGER,
DISTRICT INDUSTRIES CENTRE,
GANDHI NAGAR, KOCHI.
2. THE DEPUTY TAHSILDAR, REVENUE RECOVERY,
KANAYANNOOR TALUK, ERNAKULAM.

BY GOVERNMENT PLEADER SMT. SMITHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 PHOTOCOPY OF THE CHELAN RECEIPT DATED 30.6.1994 SHOWING THE REMITTANCE OF THE AMOUNT.

EXT.P2 PHOTOCOPY OF THE RECEIPT DATED 4.10.2002

EXT.P3 PHOTOCOPY OF THE REVENUE RECOVERY NOTICE DATED 30.1.2004 ISSUED BY THE THIRD RESPONDENT.

EXT.P4 PHOTOCOPY OF THE REPRESENTATION DATED 16.2.2004 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.

EXT.P5 PHOTOCOPY OF THE REPRESENTATION DATED 16.2.2004 SUBMITTED BY THE PETITIONER BEFORE THE DISTRICT COLLECTOR.

EXT.P6 PHOTOCOPY OF THE JUDGMENT IN WPC 6051 OF 2004 DATED 4.8.2004

EXT.P7 PHOTOCOPY OF THE APPEAL DATED 25.8.2004 FILED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.

EXT.P8 PHOTOCOPY OF THE ORDER DATED 8.9.2004 PASSED BY THE FIRST RESPONDENT.

EXT.P9 PHOTOCOPY OF THE ORDER NO. GO. (RT) NO. 805/2002/ID DATED 7.9.2002

RESPONDENTS' EXHIBITS: NIL.

TRUE COPY

P.S. TO JUDGE.

C.N. RAMACHANDRAN NAIR, J.

W.P.C. NO. 29232 OF 2004

Dated this the 16th day of November, 2007

JUDGMENT

Petitioner is in this Court a second round challenging revenue recovery proceedings for recovery of margin money loan availed by the petitioner. According to the petitioner, petitioner is entitled to the benefit of OTS scheme granted by the Government vide Ext.P9. Government Pleader submitted that time for OTS benefit is over and petitioner has filed repeated Petitions only to drag the matter. In any case, since Government has granted OTS benefits to others, petitioner can also be granted the same, provided petitioner clears the balance arrears after giving credit for the payments made with agreed rate of interest on or before 30.3.2008. However, if the petitioner does not make payment, respondents will be free to proceed with recovery after 30.3.2008. However, no collection charges will be recovered if payments are made voluntarily. Recovery proceedings will be kept in abeyance till 30.3.2008 for payment as above.

(C.N. RAMACHANDRAN NAIR)
Judge

